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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/893,823	06/28/2001	Todd M. VanDenAvond	56729USA4A.002	5306

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EXAMINER

SHERR, CRISTINA O

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 12/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/893,823

Applicant(s)

VANDENAVOND ET AL.

Examiner

Cristina O Sherr

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-60 is/are pending in the application.
- 4a) Of the above claim(s) none is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-60 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is in response to the Applicant's amendment filed May 17, 2004. Claims 11, 22, 23, 48, and 51 have been amended. Claims 1-60 are pending in this case.

Information Disclosure Statement

2. The information disclosure statements (IDS) submitted originally on September 7, 2001 and September 13, 2002 have been resubmitted on May 28, 2004. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the examiner is considering the information disclosure statements.

Response to Arguments

3. Applicant's arguments with respect to claims 1-60 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bain et al (US 5,315,508) in view of Kara et al (US 5,778,076).

6. Regarding claims 1-3, 7-8, 11, 13-15, 18-19, 21-22, 24-25, 27-28, 31-32, 34-35, 39, 41-42, 45-46, 48, 51, 54-55, and 57-58 –

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7. Bain discloses a database storing label records and associated label data for a plurality of different products manufactured by an organization; a label record manager that controls the creation and modification of the label records by multiple users within the organization, wherein the label record manager includes a revision control module to track changes made to the label records and the associated label data; and an output manager that receives input from the multiple users and permits the users to selectively access the label records for printing on label media to be affixed to the different products, wherein the revision control module of the label record manager maintains modification logs for the label records and provides change histories for the label records, wherein the revision control module of the label record manager generates images of labels from the label records and associated label data, and archives the images with corresponding date and time stamps (e.g. col 1 ln 40-col 3 ln 38).

8. Regarding claims 4-6, 9-10, 16-17, 20, 23, 26, 29-30, 33, 36-38, 40, 43-44, 47, 49-50, 52-53, 56, and 59-60 –

9. Kara discloses the system wherein the revision control module of the label record manager presents an interface by which a user can check-in and check-out a label record for revision, the database further stores reusable label templates that define one or more fields, and the system further comprises a template manager software module that presents an interface for managing the label templates stored by the database, the template manager includes a revision control module to track changes made to the label records further comprising displaying change histories for the label records based on the recorded changes, further comprising presenting an interface by which a user can

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check-in and check-out a label record further comprising instructions for causing the processor to: present an interface by which a user can check-in and check-out a label record; and record changes to the label records in a database, wherein the plurality of groups comprising a plurality of business units, and the plurality of output locations comprise manufacturing facilities, wherein the label record manager includes revision control modules. (e.g. col 3 ln 10 – col 4 ln 35); storing configuration data defining a plurality of groups within an organization; and associating each label template with one of the groups, wherein the instructions cause the processor to: store configuration data defining a plurality of groups within an organization; and associating each label template with one of the groups (e.g. col 4 ln 40 – col 5 ln 25).

10. It would be obvious to one of ordinary skill in the art to combine the teachings of Bain and Kara in order to obtain greater security with greater economy in the management of a mailing system.

11. Examiner's note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may be applied as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Conclusion

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12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cristina O Sherr whose telephone number is 703-305-0625. The examiner can normally be reached on Monday through Friday 8:30 to 5:00.

13. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 703-305-9768. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

14. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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SUPERVISORY PATENT EXAMINER
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